ist Rudin

WASHINGTON CITY.

THURSDAY MORNING, NOV. 5, 1857.

seg-Mr. Isram E. James, of Philitelphia, is our general travelling gent, assisted by James Deserted, John Collins, J. Harmitt, Edward V. Wilky, John K. Persing, E. A. Evans, R. S. James, T. Assisan, P.

general coloring agent for the very State and Texas assisted by H. J. Thomas, William H. Thomas, Thom. M. Jakes, Dr. A. L. Chilles, General Monins, and Richano Laisze. Receipts of either will be good. Apr. Mr. Gen. W. Burer's authorized to collect moneys due the Union Office for subscriptions and advertisements in the District of Colorable.

THE ELECTION IN NEW YORK.

The result of the election held in New York on Tuesday last is still in doubt; but as there was a black-republican majority of about cighty thousand to overcome, this very doubt shows the magnitude of the democratic gains. The New York News of yesterday morning says :

"We have but a moment to speak of the result of our election yesterday. In the city we have secured a magnificent majority, reaching probably 23,000! electing everything on the democratic ticket, over fusion and all kinds of combinations—all the judges—four senators—seventeen members of assembly—district attorney—resister, in fact, exercitions.

rister—in fact, everything.
"The news from the interior of the State looks favortering to enable us to arrive at any definite con clusion. It must not be forgotten that 80,000 is a large majority for the democracy to beat down, but we hope we have accomplished it. We have at least new honors, and we doubt not they will be awarded us."

The Herald introduces its tables of reported majorities with the following remarks:

"Below will be found all the returns of the election in this State made out from the reports received up to two

o'clock this morning.
"They are placed in as comprehensive a form as it is
cossible to do so, and will indicate pretty clearly the turn "They are placed in as comprehensive a form as it is possible to do so, and will indicate pretty clearly the turn which the vote has taken. It will be seen that the democratic star is again in the ascendant in New York, and will appear brighter and brighter still as the full vote shall become more clearly developed. If the returns from all parts of the State show the same republican losses and democratic gains as are indicated in our tables, the democratic gains as are indicated in our tables, the demoratic State ticket is elected.

cratic State ticket is elected.

"The number of votes polled is small compared with that of 1856, when the three great champions of the different organizations were in the field; but that fact was fully anticipated, as such is invariably the case after a presidential cleaning.

In another part of the paper the Herald adds:

"In New York city the democrats have a plurality on the State ticket of ten to fifteen thousand over the repub-licans. The Americans are nowhere. All the democratic candidates for legislative and judicial offices are elected. Mr. Richard Schell was elected to the State senate in a Mr. Richard Schell was elected to the State senate in a district which last fall gave a majority of over four thousand against the democratic party. He has now been returned by three or four hundred majority. The returns from other parts of the State are incomplete, but the indications are strongly in favor of the success of the democratic nominees for State and judicial offices. We give details, as far as received, elsewhere. Sundry new regulations are agreeded at the rolls restricting which conlations were enforced at the polls yesterday, which conduced materially to the preservation of order during the voting. No booths or boxes for the distribution of tickets were allowed to be placed within one hundred feet of the polls, and the new glass ballot-boxes were used for the first time. They looked well, and, as a preventive against frauds, should be generally adopted in large cities.

We give below the reported vote for secretary of State in the city of New York as compared with the vote at the last presidential election : FOR SECRETARY OF STATE.

Tucker, democrat------ 29 047

With the information before us, and after making due allowance for the exaggeration of excitement, election in Baltimore vesterday was but another bloody mockery-another glaring, murderous, murdering, and successful attempt to deprive the democratic citizens of that mob-ruled city of their constitutional rights as American freemen. We give here and in the telegraphic column all the information which reached us up to a late hour last nightreserving further comments until we are fully and correctly advised of yesterday's atrocious deedsdeeds which will, no doubt, cast a still deeper shade

on the dishonored name of Baltimore. The Baltimore Republican, in its issue of last evening, thus speaks of the outrages perpetrated during ties, amounting to 50 per cent. ad valorem on manu-

the forenoon of yesterday: "The hopes so fondly indulged by many of our citimayor, are destined to be sadly disappointed. element still rules unchecked in our city. The fanatical appeals to the baser passions of the clubs which have been so persistently made by the Clipper and the Patriot, their unblushing falsehoods and infamous course towards the governor, has had more influence with these rowdy the orders of the mayor or the plain requi canas than the orders of the mayor or the plain require-ments of the constitution. Outrage, violence, and fraud are the order of the day. The law and the constitution are again being trampled under foot, and peaceable citi-zens deprived of their rights by ruffian hands. At the Eighteenth ward the band of Little Fellows came to the polls almost as soon as they were opened, and commenced to knock down and fire upon the democratic voters, driv-ing them from the polls and following them with a vol-ley of shots. No arrests rands or attempted. At the of shots. No arrests made or attempted. At the nth ward the same outrages were openly perpe-

"Captain Joel Vickers went up to vote in company "Captain Joel Vickers went up to vote in company with a naturalized citizen, who was met at the outskirts of the crowd and a know-nothing ticket thrust at him, which declining to take, he was immediately knocked down and kicked in an inhuman manner; and upon Captain Vickers calling upon a police officer to protect the man and procure him a chance to vote, he was roughly told tog ohome and take his friend with him, or they would both be taken to the station-house. Captain Vickers immediately left and went to the mayor's office to make complaint to that officer. The mayor was not to be

mediately left and went to the mayor a chief of mac-complaint to that officer. The mayor was not to be found, and thus the outrage was unredressed, and a good and peaceable citizen deprived of his vote.

"We have this statement from the venerable Captain Vickers himself, and it shows how faithfully the mayor

"We have this scatterion from the venerable Captain Vickers himself, and it shows how faithfully the mayor is redeeming his pledge to give protection and peace to all. From varions other wards we have information that naturalized citizens are waylaid, knocked down, and driven from the polls by discharges of fire-arms and other dangerous weapons. In defiance of all these outrages, democrats are still pressing up to the polls, determined to show their hatred of oppression and bigotry.

"We entertain no doubt that a fair and honest expression of public sentiment to-day would result in the complete defeat of the present dominant party. But this is not to be expected. In many of the wards there is an open determination manifested not to allow democrats to vote; and there is no doubt that in those wards completely under the control of the rowdy bands frauds of every kind will be perpetrated. The matter will soon be settled, and the fact known whether we are still to be ruled by unprincipled ruffians or by the constitution and laws."

measuring an aggregate of 240,000 tons. In 1855 the increase annually with the demand. population amounted to 2,242,000 souls, the commerce to \$12,860,000, and the navigation to 1,400

The commerce between Great Britain and Sicily amounted in 1854 to \$5,750,000, and the navigation under British flags to 572 ships, measuring 84,000 tons; in 1855 this commerce amounted to \$5,755,900, and the navigation to 657 ships, and 126,000 tons. The commerce between Great Britain and the Two Sicilies, therefore, remained nearly stationary, but and fifty per cent. in tonnage. The commerce between France and Sicily in 1854 amounted to \$2,-115,000, the navigation under French flags to 186 ships, measuring 39,000 tons; in 1855 the commerce ounted to \$2,260,000, and the navigation to 275 ships, with an aggregate of 135,000 tons. The navigation, therefore, increased forty-seven per cent. in ships and about 240 per cent. in tonnage, while the commerce increased only six per cent.

With the United States the commerce of Sicily amounted, in 1854, to \$1,715,000, and the navigation under the United States flag to 94 ships, measuring 27,000 tons. In 1855 the commerce amounted to \$1,405,000, the navigation to 123 ships, guaging ing statement has been handed to us as the present 40,000 tons. The commerce, therefore, fell off about eighteen per cent., while the navigation increased about thirty per cent. in ships and fifty per cent. in tonnage.

The falling off in the general commerce was owing partly to custom-house prohibitions, and partly to defects in internal communication and postal intercourse. The increase of British navigation, and in a great measure, also, to the navigation of France. arose from the greater use of steam power for commercial purposes. Thus, in 1854, 27 British steamers, measuring an aggregate of 14,500 tons, entered the ports of Messina and Palermo, while in 1855 this number was increased to 37 steamers, with an aggregate of 22,000 tons. The defects of internal communication and of postal intercourse have long been felt in Sicily. The interior traffic is carried on partly by beasts of burden and partly by carts. For the latter there are but two trunk roads, running, severally, from north to south on the eastern coast, and from the northwest point of the island to the centre of the eastern coast. The length of these roads, including their branches, is 750 miles, or only onefourth more than the circumference of the island. Between Palermo and Messina, which lie 150 miles apart, there is a trackless path about 90 miles in length. Palermo and Girgenti are connected only in part by a carriage road, and Girgenti and Marsala are separated by 80 miles of trackless waste.

The chief seats of commerce in the island of Sicily are Messina and Catania, on the eastern coast : Girgenti and Licata, on the southern coast; Marsala and Trossani, on the western coast; and Palermo, on the northern coast. Of these Messina alone is a free port; from none of the others can foreign goods be exported, duty free, when unsold.

The history of Sicilian commerce in the present century embraces three unequal periods-namely, the conclusion is irresistible to our mind that the first, that of rise, from 1800 to 1815; secondly, that of decline, from 1815 to 1844; and, thirdly, that of revival, from 1844 to the present time. In 1844 the population of Sicily, which had amounted in 1834 to only 1.950,000 souls, had risen to 2.050,000 souls ; whereas the foreign commerce, which had amounted in 1834 to \$10,650,000, had fallen in 1844 to \$9,910,-000. Navigation under foreign flags remained stationary as to ships, and advanced only a fifth as to tonnage and navigation; while under the national flag it fell off, between 1834 and 1844, a fifth, both in number of ships and tonnage. This general decline of foreign commerce was owing to import dufactures, and 60 per cent. on what are denominated factures, and 60 per cent. on what are denominated colonial goods; and these exorbitant duties not only tonal laws and regulations, which would disgrace the merce. The torpor of navigation was owing to the exorbitant character of tonnage duties on foreign shipping compared with similar duties on preferred. flag. The Sicilian government, which had at first can exert but little influence over political events by given England, France, and Spain a reduction of 10 per cent. upon import duties for the surrender of certain commercial privileges, afterwards gave the same favor to its own flag. Injured by this concession. the range of which was extensive, Sardinia, Sweden. Austria, Russia, Holland, Belgium, France, England, and the United States charged Sicilian merchandise with differential duties, and Sicilian ships with countervailing tonnage dues. Between 1845 and 1848 the government of Sicily concluded reciprocity treaties with all these countries, by which it was stipulated that no customs duties should be charged upon goods, the produce of one country, on importation into the other, higher than the duty charged upon goods of the same kind imported from any other country, and that no tonnage dues should be levied in either country upon vessels of the other which should not be equally imported from the country upon the country upon vessels of the other which should not be equally imported from the country upon vessels of the other which should not be equally imported from the country upon vessels of the other which should not be equally imported from the country upon vessels of the other which should not be equally imported from the country upon vessels of the other which should not be equally imported from the country upon vessels of the other which should not be equally imported from the country upon vessels of the other which should not be equally imported from the country upon vessels of the other which should not be equally imported from any other country upon upon the country upon vessels of the other which should not be equally imported from any other country upon upon the country upon the country upon upon the country be charged upon goods, the produce of one posed upon national vessels. The conclusion of these treaties led to the subsequent reduction of import duties. In August, 1845, the duties on coffee and cod-fish were reduced about one-half and in April, in this city from a gentleman in St. Paul whose 1846, those on manufactures in general were lowered from 15 to 8 per cent. The result was at once beneficial. The importation of coffee has increased nearly 40 per cent.; cottons and woollens 21 per cent.; for governor of Minnesota is elected. The letter ly 40 per cent.; cottons and woollens 21 per cent.; lor governo. Cottons 23 per cent.; woollen 90 per cent.; hard-bears date of October 30: trade with all countries, which averaged in 1844 \$9,905,000 per annum, rose between that year and 1849 to \$10,460,000, and in 1854 reached nearly \$14,-

lowing despatch from an unprejudiced and perfectly reliable source;

"Barrmone, Nov. 4—8], p. m.—There were disturbances at many of the wards—more or less at all. To send details would be intelligent only at great length. It is probable that two or three lives are lost. The foreignborn vote seems to have been generally excluded. The knownothing majority doubtless will be enormous."

A tale-more loss at the properties of colonials, minerals, manufactures, and hardware for sulphur, sumac, silk, linseed, oranges, and lemons. The trade with France consists in the exchange of colonials, fancy goods, and fine manufactures and lemons. The trade with the United States consists in the exchange of lumber, staves, flour, provisions.

A tale-more loss at all. To seem the properties of colonials, minerals, manufactures, and hardware for sulphur, sumac, silk, linseed, oranges, and lemons as the condition of a slave of the condition of a slave of the manufactures, and the principle of the treasury of Arkansas is overflowing with gold and silver. The various funds are enumerated that lave their hundreds of thousands of the hard. The treasury has no bank-notes; nothing but specie in Arkansas; except a small old bank debt, does not it restricted the legislative power of the new State, and the condition of the condition of a slave of them, that of Strader es, Graham, upon the very seen, had already disposed of that the condition of a slave of the condition of the condition of a slave of the condition of the conditi mac. The trade with the United States consists in the exchange of lumber, staves, flour, provisions, owe a cent, and has in her strong box more gold and the constitutional rule as to the perfect equality of all the States of the Union. A telegraph despatch from Detroit, dated Novem- coffee, &c., in very moderate quantities, for sumac, silver than will keep the government for two years ber 3. says: "The election in this city is over. The sulphur, corks, wines, almonds, brandy, olive oil, without any further taxation. democrats have elected their ticket by an average and fruits; and the trade with Brazil and the Plate There are no banks in Arkansas, and the taxes majority of eight hundred. The common council is consists in the exchange of colonials and hides for paid in gold and silver, and the State pays out nothdemocratic." Sicilian wines. The chief trade of the Island of Sicilian wines. The chief trade of the Island of Sicilian wines.

ly consists, however, in its valt exportation of sul-phur, the quantity of which on hand occasionally reaches as high as 1,100,000 quintals. It is found 075,000, and the foreign navigation to 1,300 ships, in tertiary formations, and its production seems to City Hall at Newburyport, where he resides, in a

Naples in 1736, the island has experienced all the dies. ships, with an aggregate of 350,000 tons. This evils of absentecism, and its whole revenue, with from the suggestions made by his political enemies, shows an increase in the population of one per cent., the exception of that portion of it which is paid to that he continued to hold office under President while the commerce tell off \$215,000, with an in- the Neapolitan employees who reside on the island, is constantly drained off to be spent in enriching the metropolitan court. In this respect Sicily, in some the principles involved, instead of resigning and degrees, resembles Iroland. The resources which might be and should be beneficially expended in making roads and other improvements indispensable to the proper development of the industry of the island and the growth of its commerce are square dered in other countries by an absentee nobility. The whole revenue of the island amounts annually the navigation increased fifteen per cent. in sleps to about \$10,000,000. At least half of this sum is sent direct to Naples, never to return. "No country," says Macgregor, "exhibits land so highly taxed. nor one in which so little good is extended to the general community."

THE SWISS TREATY AND THE HEBREW CONVEN-

At the late Hebrew convention held in this city (says the Baltimore Sun) the recent treaty between the United States and Switzerland was a prominent subject of discussion. Before adjourning a committee was appointed to draw up a memorial to the President of the United States, and present it in person. This duty has been performed, and the followresult of the proceeding :

national convention of Ispaelites to consider what steps to take in reference to the treaty between the United States and the Swiss Confederation, the delegates from various States of the Union met at Baltimore, Md., on Wednesday, the 28th October, and after due deliberation adopted a memorial setting forth their grievances, and resolved to present the same to the President of the United States.

ates.

Notice being given of their object, the President ap Notice being given of their object, the resident ap-pointed the 31st of October, at 1 o'clock, p. m., for their reception, when they were presented in a body by Hon. Ph. Phillips, of Alabama, in an eloquent and dignified address to the Executive. After listening to the views and objects expressed, and receiving the memorial, the President viewed at some length the principle involved in that treaty, expressed his conviction that the treaty would never have received the approval of his predecessor had it been understood in its present effect, and unequivocally promised a speedy and energetic course of action with a view to a remedy not inconsistent with internaional faith.

We feel satisfied that the Israelites of the United States

place implicit confidence in the Executive, and that rights as citizens of the United States will be zeal-We publish these facts in the discharge of our duties as

rates, with the request to our coreligionists to abstain further agitation on the subject. M. I. COHEN, Md. Rev. H. HOCHHEIMER, Md. PH. HERZBERG, Md.

M. M. GERSTLEY, III.
MARTIN BEJUR, Ky.
L. F. LEOPOLD, Ohio.

We give below the address alluded to in the above communication :

ADDRESS OF HON, MR. PHILLIPS TO THE PRESIDENT OF UNITED STATES.

Mr. President: The delegation from a convention of Israelites of the United States, lately held in the city of Baltimore, has honored me with the request that I should introduce its members to your excellency, and present on their behalf a memorial adopted by that convention in reference to the first clause of the first article of the treaty lately proclaimed between this country and the Swiss Confederation. Swiss Confederation.

As the head of a great confederated republic, whose

federal constitution is based not only on the equality of the States, but also on the exact equality of the citizens of those States, the delegates desire to say to you that they regard the article of the treaty referred to lative, at least, of the spirit of that equality breathes through our institutions and animates the

tion.

Certain laws and regulations of the Swiss cantons deprive Israelites of some of the rights of civilized man. An American citizen, of the Hebrew persuasion, while in his own country, receives, under the guarantees of the constitution, all the benefits it confers on any other citi-zen, and is, therefore, entitled to the same privileges and immunities in his intercourse with foreign nations which might be secured, through the treaty-making power, to any other portion of his fellow-citizens of a different de-

omination.

In the particular instance before us, the cause of comstatute-book of the darkest ages, existed, et that the

execution of such a treaty important: If some great State necessity, involving the safety or welfare of the people, had called for the sacrifice, the Israelites, as I am informed and believe, would have submitted to it in silence. But for the comparatively small consideration and petty advantages secured to the country by this ble, if wron treaty they do not feel that they are called upon from any patriotic motive to withhold their solemn protest against no law of the country by t

give great weight to his statements. It will be seen that he is of opinion that the democratic candidate

speech in which he appealed to the reason and un-Since the annexation of Sicily to the kingdom of deratanding of his audience many of whom were lamemory of Governor Marcy

> Pierce, and issued instructions and managed Kansas manfully withdrawing from the cabinet. He then referred to the constitution, and demonstrated the equality of the States, and referred to numerous decisions of the Supreme Court, mostly made some years since, to show that this was the settled doctrine of that court long before the advent of the Dred Scott case. Among others where that doctrine was settled, he referred to those of Pollard tv. Hagan Pollard vs. Kibbe, Hallett vs. Collins, Permoli vs. New Orleans, Strader vs. Graham, and Veazie vs. Moor. After correcting sundry errors in relation to facts, he presented the following clear and unanswerable views in support of the conclusions of the Supreme Court, which only need to be read with candid minds open to conviction to secure unhesitating approval. We copy from a report in the Bottoh Courier :

I come now to the case of Dred Scott, which, owing certain peculiar circumstances not convenient for me to speak of on this occasion, has been greatly misunderstood or misropresented in some of, the northern States. The case was this: Dred Scott, in 1834, was a negro slave

in the State of Missouri, belonging to Dr. Emerson, a sur-geon in the army. He went with Dr. Emerson, a sur-geon in the army. He went with Dr. Emerson, that year, to the military post of Rock Island, in the State of Illi-nois. Thence, in 1836, he accompanied Dr. Emerson to Fort Snelling, in the territory northwest of the river Missis-sippi. After marrying there a female slave, Harriet, be-lowing also to Dr. Emerson, he with his wife and chillonging also to Dr. Emerson, he, with his wife and children by her, in 1838, accompanied Dr. Emerson back to the State of Missouri. Meanwhile, by the death of Dr. Emerson and by marriage, Dred became the property of Dr. Chaffee, member of the last Congress from Masachusetts.
In this condition of things, after some litigation in the

courts of the State of Missouri, Dred got into the circuit court of the United States for the district of Missouri, in the form of a suit for trespass against Mr. Sanford, in the form of a suit for trespass against Mr. Sanford, under whose immediate direction he seems to have been, at least for the purpose of the suit.

I have never understood why, in these circumstar

I have never understood why, in these circumstances, it needed two years' litigation to try the question whether Dred was a freed man or not. It would seem that if it were so clear that Dred Scott was of right free as to make it cause of reproach to any court to decide otherwise, his master ought so to have said voluntarily, and without putting the courts and lawyers, to say nothin of Dred himself, to so much trouble on the subject.
a good man has in his possession anything, whatever is, land or freedom, which belongs to another good man is, land or freedom, which belongs to another good man, there is no occasion for a lawsuit. In this point of view there is some mystery behind the case. It looks like a fancy case, got up and carried on for the public edification and amusement. I do not complain if this be so, nor inpute blame in any quarter; on the contrary, I think we have cause to be eminently grateful to all constants between parties including Dred binnedf. nor impute blanc in lary quarter; on the contrary, it think we have cause to be eminently grateful to all con-cerned—courts, lawyers, parties, including Dred himself— for the opportunity which thus came up to have so many important questions finally adjudged, as they were, by the Supreme Court of the United States. In Dred's behalf, it was alleged that he and his family

In Dred's behalf, it was alleged that he and his family were free—first, on the ground of residence in Rock Island, within the limits of the ordinance of 1787; and secondly, of residence at Fort Snelling, within the limits of the Missouri Compromise. On the other hand, it was argued that Dred, being an African, was not a citizen of the United States competent to sue, as such, in the circuit court; that his residence out of Missouri did not make him free, or, at any rate, did not make him free in the

mm free, or, at any rate, did not make him free in the State of Missouri. The circuit court so decided; and thus a case was made for the Supreme Court. After being twice elaborately argued in that court, it was decided, by seven judges against two, and the de-cision pronounced by the venerable and learned Chief Jus-

in the newspapers, and in some journals of a more clabo-rate character, and by respectable members of the bar, that the decision is not a decision, that the arguments of

that the decision is not a decision, that the arguments of the Chief Justice are unsatisfactory, and that the Supreme Court of the United States was mistaken. With pardon of gentlemen who have come to such conclusions, let me say, first, that the record shows there was a decision, and that the mandate of the Supreme Court has issued to the circuit court accordingly, and that this mandate has been executed by the Supreme Court. It speak to have you want I think the will Court. I speak to lawyers now, and I think they will, on reflection, be inclined to admit that that is all that onstitutes a decision.

In the second place, as to the arguments of the Chief

testice—a magistrate in that office of now twenty rears—before that Attorney General—and before that ong at the head of one of the ablest bars in the United States—a man now more than eighty years of age, infirm of body, but with a mind which seems to beam out the clearer from that frail earthly shrine, as if it had al-ready half shaken off the dust of mortality, and begun to stand, as it were, transfigured into the celestial glory and beauty of immortality—I say as to his argument guage addressed by Chief Justice Marshall one day to lawyer who was reading to him out of Blackstone, "Young gentleman, it may be assumed, for the purpose of this argument, that the Chief Justice of the United States has some knowledge of the common rudiments of

Mr. President: The protestants know full well they can exert but little influence over political events, by force of their mere numbers, but they know at the same time that the checks and balances of the government were instituted mainly for the protection of minorities. They, therefore, plant themselves upon a right; they advocate a constitutional principle; and in appealing to you for their vindication, they feel they are addressing a just magistrate, whose anxiety and care will only be increased by the weakness of the sufferer.

If, sir, the condition of the country had rendered the recording of such a treaty important; if some creat Nick. has constitutional power to annul any statute by pronouncing it unconstitutional. It is the constitutional expositor of the constitution, and its exposition become the only admissible reading of the constitution, remedia ble, if wrong, only by amendment of the constitution. If it were otherwise, there would be

court decided that they had no jurisdiction of the point of the case, that, therefore, the opinion of the Chief Jus they are law. Here the question was jurisdiction or not before a fulformation are of such a character as to Defendant's counsel said the court has not jurisdiction be Defendant a counsel sain the court has not jurisdiction be-cause the plaintiff is not, as the law requires, in order that he should bring an action of trespass in the circuit court, a citizen of the United States. So the court had to decide the point of citizenship. But then, said plain-tiff's counsel, the court has jurisdiction, because, by liv-ing at Rock Island, within a part of the country from which the ordinance of 1787 excluded slavery. Dred Scott became a free man. And so the court had to decide this. And then again, said the plaintiff's counsel, if not freed in handsome majority, except Sibley for governor. He is became a free man. And so the court had to decide this. And then again, said the plaintiff's counsel, if not freed in may expect to see three democratic members and two democratic senators on or before Christmas."

which the ordinance of 1787 excluded shavery, Died Scott became a free man. And so the court had to decide this. And then again, said the plaintiff's counsel, if not freed in lillinois by the ordinance of 1787, then he was freed by living at Fort Snelling, within the scope of the Missouri Compromise. And so the court had to decide that.

Now, as to the ordinance of 1787, the court, as we have en, had already disposed of that by a series of decisions,

As to the main point, whether Dred Scott was a free man in Missouri, that, in so far as decided by the court, stood on the ground that each State is the judge of the legal condition of its own inhabitants, and thus neither has power to determine it in or for another State. That is the doctrine of the jurists everywhere. Lord Stowell so

Scott.

Nothing remains except the question whether the court decided correctly in deciding that Dred Scott was not a citizen of the United States. A little calm consideration of the question will relieve us of all doubts in that point. At the time when the constitution of the United States At the time when the constitution of the United States was formed the future. Union consisted of the thirteen British celonies which had fought the battles of our national independence, and of the vast unorganized territory which, by compacts between the colonies, and by the treaty of peace, had become their common property. Each of the thirteen colonies or States was independent of the others, except in so far as they were associated by sundry common rights or interests, or by the imperfect political bonds of the confederation. So emphatically true is this that, in the early legislation under the constitution, North Carolina and Rhode Island, which at first refused to accept the constitution, were treated as alien governments. Rhode Island, especially, conscious of the fact, which the federal government, as well as the early coloniers of the country, have strangely overlooked, that Naragansett bay is not merely the best, but the only faultiess maritime harber on the Atlantic coast of North America, conceived the idea of remaining out of the Union, and thus enjoying to the full the unequalled commercial capabilities of her marine position; the fallacy of which idea was speedily demonstrated to her by the enactment of acts of Congress depriving her of participation in the commercial benefits of the Union.

At that time the question of citizenship was one internal to each of the States, which respectively determined for themselves who were citizens and who not. They did this sometimes by special

to each of the States, which respectively determined for themselves who were citizens and who not. They did this, sometimes by general laws, and sometimes by special ones: for legislative acts naturalizing aliens; either by in-dividuals or by classes, are quite frequent in the primi-tive history of the several States. Indeed, as we shall see in the sequel, they may even now determine the see in the sequel, they may, even now, determine the question of citizenship for themselves and within themselves; but neither of them has power to determine it for

other States or for the Union.

The inhabitants of the United States at that time consisted of three distinct races—one native, the Indians, and two foreign, the Africans and the Europeans. Of these three races, one only, the Europeans, were the peo-ple of the United States. They (the Europeans) were the "people" who issued the Declaration of Independence; and they were the "people" who ordained and estab-lished the constitution of the United States. Neither the Indians, the original occupants of the soil of the United States, nor the Africans, who, like ourselves, came hither from across the Atlantic, were people, citizens, or, in any sense or phrase of designation, parties either to the Dec-laration of Independence or the constitution of the United

States. The men of European race—the white men as distinguished from the red men and the black men— constituted the political society, of which they alone were co-equal members; while the Indians and Africans were not citizens, but subjects.

That such was the relation of the three races, each to the other, is indicated not only by the nature of things,

the other, is indicated not only by the nature of thinga, as above stated, but also by pertinent acts of Congress, of which it suffices to cite one, the most emphatic and conclusive—namely, the act "to establish a uniform rule of naturalization;" that is, to determine in what way aliens may be converted into citizens of the United States. The purview of this act is confined, in express terms, to free schile persons. And it is well settled as law that this power of naturalization, under the constitution, is vested exclusivally in Congress.

cr of naturalization, under the constitution, is vested ex-clusively in Congress.

It is perfectly clear, therefore, that a negro alien can-not, by naturalization, become a citizen of the United States. But it is argued that negroes born in the United States are not, aliens, and that they are, therefore, citi-zens—natural born citizens, to use the language of the constitution. That argument is founded in manifest er-crather false assumption that every reven born, in the constitution. That argument is founded in manifest error—the false assumption that every person born in the
country is a citizen of it. This false assumption pervades
all the reasoning of the republican presses and orators
who criticise the decision of the Supreme Court in the
case of Dred Scott. The legislature of New Hampshire
has pushed this error to its extremest point by resolving,
very solemnly but very inconsiderately, that all persons
born in the State are, therefore, citizens of the State.
How false that is can be seen at once by considering the
case of the Indians.

born in the State are, therefore, citizens of the State. How false that is can be seen at once by considering the case of the Indians.

Certainly, the Indians in this country are native enough, for they are indeed the only "native Americans," in the true sense of the party language of the day. But they are not born citizens of the State in which they may happen to be born, nor are they born citizens of the United States. That has been adjudicated again and again by the courts of the several States, as well as by those of the United States. They may be made citizens of the United States, not, however, under the general naturalization laws, but either by treaty or by special law. Thus, in the treaty of Dancing Rabbit Creek, there is a stipulation according to which the Choctaw Indians may, if they please, be converted into citizens of the United States. So, by an act of Congress, it is provided that, on a certain contingency, the "Stockbridge tribe of Indians, and each and every one of them, shall then be deemed to be, and from that time declared to be, citizens of the United States." These two examples prove that the Indians are not in constitutional right of birth citizens of the United States.

The case of the Indians serves to dispose of another fallacy in the criticisms of the decision in the case of Dred

The case of the Indians serves to dispose of another fallacy in the criticisms of the decision in the case of Dred Scott—which is, the erroneous idea that, when a man is by the constitution or law of any State a citizen of that State, he is is is of facto a citizen of the United States. That is not true. Thus, by the constitution of the State of Wisconsin certain Indians are made citizens, with the express decharation that they shall continue to be such, even although not citizens of the United States.

The constitution of Wisconsin, as also that of Michigan, serves to expose another kindred fallacy, namely, the idea that when, by the law of any one of the States of the Union, a person is made a citizen of that State, be

of the Union, a person is made a citizen of that State, be For the constitution of each of these States confers the political rights of citizenship (after a brief residence) on all white persons of foreign birth who shall have declared their intention to become citizens of the United States. It would be quite ridiculous to pretend that aliens of this class are entitled to the rights of citizenship in Mas-

Now, why should Africans, born in the United States, be entitled to larger rights than Indians? They are not Nothing but the perverse negrophilism of the day could have imagined that they are. And, but for the merbid state of the public mind on that subject, there could not have been either surprise or anger to find the Supreme Court, when the case came before them, deciding this point in obedience to well-established constitutional doctrines, and in strict accordance with the uniform theory and unbroken practice of the administrative departments of the government of the United States. For the rest there has been the most, pertinacious mis-

representation and perversion of the effect of the decision representation and perversion of the effect of the decision of the Supreme Court, in so far as regards personal rights of the Africans. It is utterly faise to say that it deprives them of the power to defend their rights of person or property by suit at law. They may sue in certain courts of the United States by virtue of citizenship. There are multitudes of citizens of the United States who cannot do it. Such of them as live in the Territories cannot, at least in the form here under consideration; for the exeast in the form here under consideration; for the ex-rcise of the right in question is limited to such person as are at the same time citizens of the United States and also of some State. And, as to Africans, the courts of the State or Territory in which they reside are open to them, just as they are to citizens of the United States. Such, at the present time, is, beyond all controversy,

And now comes the practical question: Is it worth while to neglect the affairs of our State in order to be unwhile to neglect the affairs of our State in order to be un-inappy about this point of law? To what end? We can-mot change it without amending the constitution. Can we expect that? Clearly not. To do that, we must have either a vote of two-thirds of each house of Congress, or a national convention called by the legislatures of two-thirds of the States, and its amendments adopted by three-fourths of the States. Can you? Plainly not; for you not only have all the southern States against you, but a mainstant of the roothern States.

and only have all the southern States against you, but a majority of the northern States.

During this very year, and in voluntary approbation, as it were, of the decision of the Supreme Court in Dred Scott's case, the republican State of Iowa and the new State of Minnesota have deliberately disfranchised Africans. Before that, the Topeka convention, representing the exclusive republican party of Kansas, and the party litself, by separate vote on the very question, had disfranchised Africans and banished them from the proposed State.

So that here also is a perfectly useless, kille, impracti-So that here also is a perfectly useless, lette, impracti-cable agitation as to a point of law, touching which we have no more power than we have to change the laws of England. And we might as well make a party issu-here of the enfranchisement of persons of this class in ancient Rome as to do it in regard to the citizenship of Dred Scott He then addressed himself to the matter of prac-

speech full of practical instruction, and a most inumphant answer to all abolition projects :

You, the men of this State, reprobate involuntary servitude, and are desirous that it shall cease to exist anywhere in the world, and especially in the United States Be it so. Let us take up that sentiment, accept it as a fact—may, respect it as one—and reason it along to a con-

Clusion.
You desire the abolition of servitude, especially in the southern States. But can you reach it there! Have you any legal access to it or the end of its abolition by law! No, it is beyond your power; you cannot legislate, in any legal access to it or the end of its abolition by law! No, it is beyond your power; you cannot legislate, in this respect, for Carolina or Mississippi any more than you can for Russin or Turkey. Will you, on account of it, dissolve the Union? No, you have not a thought of it. You are not members of what has been appropriately called the Fools Convention now sitting somewhere in Ohio for the purpose of arranging the dissolution of, the Union. Will you break out hysterically into revolution, and undertake to invade the South in arms, and thus to set free its slave inhabitants? No, you have no such impracticable and absurd thought. Will you shandon your selves to more bad temper, ungovernable wrath, revilings, and vituperation against all your fellow-citizens of the South, and a majority of your immediate fellow-citizens at the North? No, that would, you know, be a course fruitful of no good, but of much evil, and one not consonant with your sense of right and wrong, or your self-

But we would at least, you say, separate ourselves from the unclean thing. Aye, but can you, ct, if you can will you? You can act upon it in one way, not to any great result perhaps, but to some result, in the way our fathers preluded the war of independence. Are you disintensed onough to make thorough trial of that experiment? It is, to cease to buy from slave labor or to sell to it: to cease to sustain it by nourishing it, and by nourishing yourselves with it; to cease to build and sail ships for the transportation of its products; to cease to live by the manufacture of its products; to cease to wear its cotton, to eat its corn, its fruits, and its sugar, to smoke its to beco, to drink its coffee or cocca. When you have self-denial enough to do that, then, and not mill then, it seems to me, you will be entitled to claim superiority of conscientiousness over them, who do no more to keep slave labor in use than you do, and who, associated in life with it inseparably, sustain it of necessity, and not, like

you, in the voluntary gratification of taste, caprice, convenience, or appetite.

And if you were able to attain that high eminence of disinterestedness and self-denial, what signal effect would it produce? You have the progress of events in France and England to bear witness. It was in France that the negrophilist agitation had its beginning; its first result there was the devastation of the rich colony of St. Domingo, and the reduction of that to its present state of tyrannic barburism and comparative desolution. Then mingo, and the reduction of that to its present state of tyrannic barbarism and comparative desolation. Then England took up the policy of emancipation, to the first result, there, of the decay and decline of her colonies in the West Indies, and the augmented prosperity, in the same degree, of the Spanish colonies and of Brazil. Thereafter slave labor did not cease to flourish, and to do so even with aid of France and England, by reason of their commercial relations with the slaveholding countries of

The next series of acts in the very of words of the part of great problem was an claberate attempt, on the part of England especially, to substitute, in commerce and use, the products of free labor in the place of those of slave labor. In the carnest effort to effect this result, the government of England seemed, for a while, transferred from ernment of England seemed, for a while, transferred from
the common-sense statesmen of St. Stephen's to the visionary schemers of Exeter Hall. And now that wellmeant undertaking has falled so utterly that—what with
the demand of Europe for more cotton, more sugar, more
coffee, than existing slave labor in America can produce
France and England have betaken themselves to cooly
labor, as it is called, the transportation of Asiatics to
America, to labor in a more cruci servitude than ever
was imposed on Africans. Nay, such is the revolution America, to labor in a more cruci servitude than ever was imposed on Africans. Nay, such is the revolution on this subject that men seriously discuss in Great Brit-ain the expediency of going backward a thousand years in the work of civilization, and converting the rebels and prisoners of war of the East Indies into slaves to labor in the West Indies.

Meanwhile, great cargoes of Asiatics are conveyed from

Meanwhile, great cargoes of Asiatics are conveyed from the East to the West, to be employed in colonial labor, under circumstances of misery for which the horrors of the old middle passage from Africa afford no parallel; and this by the two great commercial nations of modern times, according to whose law slave-trade is piracy— Great Britain and the United States. Have we not all read of one of these great ships, with her ship-load of unhappy coolies, destroyed by them in mid ocean, so they might thus escape by death from the sufferings of the voyage and the terrors of their future condition? Horrid! Hor-rid! Mescems, that the loud death-shrick of that mass of our fellow-men—as, in the agony of their despair, selfrid! Meseems, that the loud death-shrick of that mass of our fellow-men—as, in the agony of their despair, self-immolated, with fixed eyes and uplifted hands, they sink from sight into the boiling waters of the deep rearings sharply in the ear still, like the long wall of an eutumn wind through the trees of the forest, like the multitudinous cry of a beleaguered city in the hour of assault and sack, like that of the sinful men of old as the assault and sack, like that of the sinful men of old as the rising deluge swept over them on their last mountain-top of refuge from the Divine wrath. And, if the echo of that death-cry rises to Heaven for vengeance on the cupidity of our age, does it not also give utterance to a low voice, at least, of remonstrance against the misdirected philanthropy of the age? Of all the zealous effects of so many good men to proscribe slavery and the slave trade, is it the consummation, that, as Las Casas undertook to relieve the aboriginal Americans by the transportation of Africans to America, so now the Africans in America shall be relieved by shifting the accumulated burden of slave labor from them to the Asiatics?

My friends, it is no easy task, you perceive, to reform the world, to abolish ignorance, poverty, vice and crime. Let him who is consident of his virtue look up some er-ring brother within reach, and try the individual experi-ment. He will find it an arduous one. How much more arduous, then, the task of changing the social condition What, then, you may say—shall we sit down in hope less apathy, without striving to do good? No. let us con tinue to strive to do good, but with humble distrus

labor from them to the Asiatics!

of our own wisdom—temperately—charitably in the spirit of good-will towards all men, and of ill-will to none—with no presumptuous centidence in our own strength - waiting hopefully but patiently on the good vidence of God.

THE CALIFORNIA STEAMER.

Hon. Horatio King, the First Assistant Postmaster General, has received a telegraphic despatch from the postmaster of New York, stating that the California mail steamer will leave that port to-day (her regular day) for Aspinwall with the mails for the Pacific.

Among the last arrivals at Willards' we notice the names of Senator Bigler, of Pennsylvania, and Hon. H. M. Phillips, member of Congress elect from the same State.

A missionary of the American Sunday School Union, now laboring in Kansas, has addressed a letter to eastern Sunday-school children, in the course of which he says:

"I wish, in the outset, to correct the impressions of "I wish, in the outset, to correct the impressions of any of my young friends who are associating Kansas in their minds with armed troops. Whatever may have been the past history of this Territory. I find, from a month's careful observation, that now all is peaceful and prosperous, and that the great mass of the people, from all parts of the Union, are an intelligent, enterprising, and orderly class of citizens, living as quietly and harmoniously together as in other portions of the land. Having recently settled in one of the finest countries that the ways ever shope men, they wish to enjoy it." wan ever shone upon, they wish to enjoy it."

FROM HAVANA.

The Havana correspondent of the Journal of Commerce, under date of October 29, writes :

"We are at this moment under the greatest money pressure that can be brought to bear upon this commercial community. Those who have been engaged in stocks will be most severely dealt with, as they can get no discounts through the broks, and will depend entirely upon the forbearance of their creditors whether they go to the wall or not. The public feeling is, however, favorable, and will smooth the path somewhat, which is a little more rough from the liberal contributions of specie which have been made to the chests of friends in the United States at New York and New Yorks and

New York and New Orleans.

"The Chilian burque Alianza, Wilson, 201 days from Swatos and St. Helena, arrived on the 25th, with 155 Asiatics on board; said to have lost on the passage 100

or more over the side.
"The health of Havana is at our usual winter state tical abolition, and proceeded to demonstrate that it and strangers may safely venture upon Cuban soil who was impossible, by any efforts of theirs, for the abolitionists to secure the object which they profess to talk of Mirasol as relieving officer for Gen. Coneba makes have in view. The reader will find this part of the some interest.